

NO. PD-0300-23

IN THE COURT OF CRIMINAL APPEALS  
AUSTIN, TEXAS

FILED  
COURT OF CRIMINAL APPEALS  
~~8/9/2023~~  
DEANA WILLIAMSON, CLERK

Harold James Reaves,  
Appellant

v.

The State of Texas,  
Appellee

NO. 01-13-00651-CR  
In the Court of Appeals for the First District of Texas

NO. 1335623  
In the 179<sup>th</sup> District Court of Harris County, Texas

APPELLANT'S MOTION FOR EXTENSION OF TIME  
TO FILE PETITION FOR DISCRETIONARY REVIEW

TO THE HONORABLE COURT:

Comes now the Appellant, Harold James Reaves, the Appellant, pursuant to Texas Rules of Appellate Procedure 10.1, 10.5 (b), and 68.2 (c), and respectfully requests an extension of time in which to file a petition for discretionary review.

In support of this motion, the Appellant would show the following:

1. Appellant's petition for discretionary review is due on August 8, 2023. Appellate counsel seeks a brief extension of **six days** to complete Appellant's

petition for discretionary review. If appellate counsel's request is granted, the petition for discretionary review would be due on August 14, 2023.

2. Appellant's case arises from his direct appeal, cause number 01-13-00651-CR. The First Court of Appeals affirmed Appellant's sentence in an opinion issued on June 26, 2014.

3. Appellant filed a writ of habeas corpus pursuant to Texas Code of Criminal Procedure article 11.07, alleging, among other things, that his appellate attorney failed to notify him of his right to pursue a petition for discretionary review. The Court of Criminal Appeals, in cause number WR-81,178-02, found that Appellant had been denied his right to pursue a pro se petition for discretionary review. This Court granted relief and its mandate issued on May 10, 2023.

4. The trial court appointed new appellate counsel on or about May 26, 2023. The Court previously granted Appellant's pro se motion for extension of time to file a petition for discretionary review making the petition for discretionary review due on August 8, 2023.

5. Appellate counsel was set to begin a jury trial on August 8, 2023 in the matter of *State of Texas v. Austin Vaughn Greer*, cause numbers 15-DCR-070182A and 15-DCR-070973A, aggravated robbery cases set in the 458<sup>th</sup> District Court of Fort Bend County. The case was number two on the docket but was not reached. Appellate counsel is currently preparing for trial in the case of *State of Texas v. Larry*

*Rodriguez*, cause numbers 1642022, 1633220, 1622872, and 1622873, set for trial on August 15, 2023, in 178<sup>th</sup> District Court of Harris County, Texas. The defendant is charged with murder and has been placed on the emergency response docket. At this time, appellate counsel has no reason to believe this case will not proceed to trial.

6. Appellant requests this brief extension of time so that a concise and well-researched petition for discretionary review may be submitted to the Honorable Court. This motion for extension of time to file a petition for discretionary review is not done for delay, but that justice may be done.

WHEREFORE, Appellant prays the Honorable Court will grant his requested extension of time to file his petition for discretionary review until August 14, 2023.

Respectfully Submitted,


Julia Bella  
State Bar No. 24035099  
503 FM 359, Ste. 130  
Richmond, TX 77406  
Tel: (832) 757-9799  
Email: [julia@jbellalaw.com](mailto:julia@jbellalaw.com)

By: 

Julia Bella  
Attorney for Appellant  
State Bar No. 24035099

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this brief has been served on the Harris County District Attorney's Office and the Office of the State Prosecuting Attorney via e-filing.

By:   
Julia Bella  
Attorney for Appellant

### Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Julia Bella

Bar No. 24035099

julia@jbellalaw.com

Envelope ID: 78335226

Filing Code Description: Motion

Filing Description: Motion for Brief Extension of Time

Status as of 8/9/2023 8:29 AM CST

Associated Case Party: Harold JamesReaves

Name	BarNumber	Email	TimestampSubmitted	Status
Julia Bella		julia@jbellalaw.com	8/8/2023 10:14:53 PM	SENT

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Stacey Soule		information@spa.texas.gov	8/8/2023 10:14:53 PM	SENT
Jessica Caird		CAIRD_JESSICA@dao.hctx.net	8/8/2023 10:14:53 PM	SENT